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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re: WANSDOWN PROPERTIES CORPORATION, N.V., Debtor.	Chapter 11 Case No. 19-13223-dsj
WANSDOWN PROPERTIES CORPORATION, N.V., Plaintiff, - against - AZADEH NASSER AZARI, Defendant.	Adv. Pro. No. 19-1450-dsj

**DECLARATION OF NADER MOBARGHA, ESQ. IN SUPPORT OF AZARI'S
OPPOSITION TO DEBTOR'S SUMMARY JUDGMENT MOTION TO DISMISS HER
AFFIRMATIVE DEFENSE OF UNCLEAN HANDS**

I, Nader Mobargha declare, under 28 U.S.C. § 1746, under penalty of perjury that:

1. I am a partner of the firm, Beys Liston & Mobargha LLP, attorneys for Defendant Azadeh Nasser Azari ("Azari"), in the above-captioned adversary proceeding (the "Action").

2. I submit this declaration in support of secured creditor Azari's opposition to Plaintiff Wansdown Properties Corporation, N.V.'s ("Debtor" or "Wansdown") motion for summary judgment to dismiss Azari's affirmative defense of unclean hands (the "Opposition").

3. This declaration is submitted for the limited purpose of attaching Exhibits 1- 43 in support of Azari's Opposition.

4. Attached as **Exhibit 1** is a true and correct copies of excerpts of excerpts from the transcript of Gholam Reza Golsorkhi's ("Golsorkhi" or "GRG") December 3, 2021 deposition.

5. Attached as **Exhibit 2** is a true and correct copy of Azari's December 18, 2015 letter to Andy Kerman.

6. Attached as **Exhibit 3** is a true and correct copy of GRG's April 18, 2016 email to Bunyamin Taskapan ("Taskapan").

7. Attached as **Exhibit 4** is a true and correct copy of a *Notice of Presentment of Debtor's Application Pursuant to Sections 327(e), 328(a), and 330 and 1107(b) of the Bankruptcy Code, Bankruptcy Rules 2014 and 2016, and Local Rules 2014-1 and 2016-1 For Entry Of An Order Authorizing The Retention and Employment Of Blank Rome LLP As Special Litigation, Real Estate, and Tax Counsel*, filed October 14, 2019.

8. Attached as **Exhibit 5** are true and correct copies of the September 7, 2019 *Exclusive Townhouse Sales Agreement* between Debtor and Compass.

9. Attached as **Exhibit 6** is a true and correct copy of the Supplemental Declaration of Lawrence F. Flick II In Support Of *Debtor's application Pursuant To Sections 327(e), 328(a), and 1107(b) of the Bankruptcy Code, Bankruptcy Rules 2014 and 2016 and Local Rules 2014-1 and 2016-1 For Entry Of An Order Authorizing The Retention And Employment Of Blank Rome*

LLP As Special Litigation, Real Estate, and Tax Counsel Effective Nunc Pro Tunc To The Petition Date, filed on June 19, 2020.

10. Attached as **Exhibit 7** is a true and correct copy of the *Declaration Of Nader Mobargha, Esq. In Response To The June 18, 2020 Declaration of Lawrence F. Flick II*, filed June 22, 2020.

11. Attached as **Exhibit 8** is a true and correct copy of a May 12, 2020 email from C. Serbagi to I. Herman, E. Zucker, and S. Akabas.

12. Attached as **Exhibit 9** is a true and correct copy of a May 26, 2020 letter from C. Serbagi to Judge Bernstein.

13. Attached as **Exhibit 10** is a true and correct copy of an October 25, 2018 Notice of Entry for the decision of the Appellate Division, First Department in *Wansdown v. Azari*, Index No. 151406/2017.

14. Attached as **Exhibit 11** is a true and correct copy of the October 7, 2019 *Resolution of Debtor*.

15. Attached as **Exhibit 12** is a true and correct copy of a September 5, 2016 email from GRG to R. Armao and Azari.

16. Attached as **Exhibit 13** is a true and correct copy of an October 1, 2019 email from GRG to Taskapan.

17. Attached as **Exhibit 14** is a true and correct copy of an October 1, 2019 email from Lawrence Flick to Taskapan, copying M. Krezalek, GRG, and A. Sohm.

18. Attached as **Exhibit 15** is a true and correct copy of a November 4, 2019 email chain from Taskapan to L. Flick, copying M. Krezalek, GRG, and A. Sohm.

19. Attached as **Exhibit 16** is a true and correct copy of a December 6, 2019 email from A. Sohm to L. Flick, GRG, copying Taskapan and G. Meier.
20. Attached as **Exhibit 17** is a true and correct copy of an email chain ending on December 18, 2019 from L. Flick to A. Sohm, GRG, copying Taskapan.
21. Attached as **Exhibit 18** is a true and correct copy of the Adversary Complaint in *Wansdown v. 29 Beekman Corp.*, filed on February 26, 2020. `
22. Attached as **Exhibit 19** is a true and correct copy of December 12, 2019 email from L. Flick to A. Sohm, copying Taskapan and G. Meier.
23. Attached as **Exhibit 20** is a true and correct copies of excerpts from the transcript of the August 4, 2020 hearing.
24. Attached as **Exhibit 21** is a true and correct copy of *Order Shortening Notice On Debtor's Application For Order (I) Preliminarily Approving Disclosure Statement, And (II) Scheduling Hearing On The Debtor's Application For An Order Granting Final Approval Of Disclosure Statement And Confirming Debtor's Second Amended Chapter 11 Plan*, dated June 12, 2020.
25. Attached as **Exhibit 22** is a true and correct copy of *Stipulation Concerning The Unsecured Claims Of Golsorkhi*, filed by June 14, 2021.
26. Attached as **Exhibit 23** is a true and correct copy of *Secured Creditor Azari's Joinder In Debtor's April 22, 2020 Objection To Claim No. 9 by Pelmadulla Stiftung*, filed May 14, 2020.
27. Attached as **Exhibit 24** is a true and correct copy of *Order Approving Settlement Agreement*, filed by September 29, 2020.

28. Attached as **Exhibit 25** is a true and correct copy of *Notice Of Withdrawal Of Objection To Nonpriority Claims 3.7, 3.8, 3.10, 3.11, 3.12, And 3.17 On Schedule E/F (ECF No. 13) Filed By Debtor For Danillo Martinez Rivera, Fatmeh Secilmis, Gerard Perdereau, And Gholam Reza Golsorkhi, And Claim No. 7 In Claims Register Filed By Stella Florez*, filed by October 13, 2020.

29. Attached as **Exhibit 26** is a true and correct copy of *Objection To Nonpriority Claims 3.7, 3.8, 3.10, 3.11, 3.12, And 3.17 On Schedule E/F (ECF No. 13) Filed By Debtor For Danillo Martinez Rivera, Fatmeh Secilmis, Gerard Perdereau, And Gholam Reza Golsorkhi, And Claim No. 7 In Claims Register Filed By Stella Florez*, filed by October 2, 2020.

30. Attached as **Exhibit 27** is a true and correct copies of excerpts from the January 16, 2020 sale hearing.

31. Attached as **Exhibit 28** is a true and correct copies of excerpts from the November 12, 2019 341 Creditor Meeting.

32. Attached as **Exhibit 29** is a true and correct copy of *Affidavit of Golsorkhi In Support Of Motion Pursuant To 11 U.S.C. §§ 363 and 365 And Fed. R. Bank. P. 2002 and 6004 For An Order Approving The Sale Of Debtor's Real Property*, filed by January 10, 2020.

33. Attached as **Exhibit 30** is a true and correct copy of *Wansdown's Amended Responses and Objections To Azari's First Set Of Interrogatories*, dated October 5, 2020.

34. Attached as **Exhibit 31** is a true and correct copy of the Affidavit of Mwafak Peress, dated April 30, 2021.

35. Attached as **Exhibit 32** is a true and correct copy of Declaration Of Seth Akabas, dated May 7, 2020.

36. Attached as **Exhibit 33** is a true and correct copy of September 17, 2019 email L Flick To S. Akabas, copying J. Greene.

37. Attached as **Exhibit 34** is a true and correct copies of excerpts of the transcript of the December 23, 2021 deposition of GRG.

38. Attached as **Exhibit 35** is a true and correct copy of *Restated Order Granting Final Approval Of Disclosure Statement And Confirming Debtor's Second Amended Chapter 11 Plan*, dated July 16, 2020.

39. Attached as **Exhibit 36** is a true and correct copy of 29 Beekman's First Set Of Document Requests, dated June 5, 2020.

40. Attached as **Exhibit 37** is a true and correct copies of excerpts of the transcript of the December 11, 2020 deposition Of Seth Akabas.

41. Attached as **Exhibit 38** is a true and correct copy of excerpts of the transcript of the December 18, 2020 deposition of Mwafak Peress.

42. Attached as **Exhibit 39** is a true and correct copies of excerpts from the transcript of November 14, 2019 hearing.

43. Attached as **Exhibit 40** is a true and correct copy of *Azari's Answer To Second Amended Complaint And Affirmative Defenses*, filed by June 11, 2020.

44. Attached as **Exhibit 41** is a true and correct copy of July 24, 2020 email from E. Zucker to C. Serbagi, copying J. Rhodes and I. Herman, enclosing production of Blank Rome emails with Pelmadulla.

45. Attached as **Exhibit 42** is a true and correct copy of *September 25, 2019 Residential Contract Of Sale*.

46. Attached as **Exhibit 43** is a true and correct copies from excerpts from the
January 14, 2020 hearing.

Dated: June 10, 2022
New York, New York

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